

MAAMAWIINO ANISHINAABEG NATION (AKA CHIPPEWA)

CONSTITUTION ALLIANCE

PREAMBLE

We, the Maamawiino Anishinaabeg Nation, the original people, have formed powerful Constitution Alliances with other nations throughout history. We will continue to form future Constitution Alliances to reunify the many people of the Maamawiino Anishinaabeg Nation. We will form Constitution Alliances to protect the Rights of Nature, uphold our treaty responsibilities, preserve our sovereignty, enrich our culture, and achieve and maintain a desirable measure of prosperity. We ordain and establish this Constitution Alliance for the governance of the Maamawiino Anishinaabeg Nation. We can enjoy freedom while acknowledging humility, gratitude, the goodness, aid, and guidance of the Universe's Creator (Gizhe-manidoo/Ke-che-mun-e-do) in permitting us to do so.

ARTICLE I ORIGIN

Human Beings were Creator's last Creation. As taught in our Creation story, Our Creator prepared the Earth with a great abundance and diversity of life to sustain and keep our Ancestors well. The Creator taught us to respect all life as it is necessary to sustain us while recognizing our humble role as caretakers and fully realizing our responsibilities to protect our good environment.

ARTICLE II MINO BIMADIZWIN (LIVE THE GOOD LIFE)

Maamawiino Anishinaabeg of Anishinaabe Akiing of the federally recognized sovereign nations now forms a government. We have freedom, live under just laws, and have self-determination and self-sufficiency. We honor the sanctity of the individual, the preservation of all living beings, and the principles governing our environment and inherent sovereignty. We also pledge to honor Mino Bimadiziwin for all generations. We share the love of our people and our children. We speak of the people and those who cannot speak for themselves. Gichi Manido gave us rights and responsibility for the good of all Maamawiino Anishinaabeg, encompassing the beauty of omaa ayaaying (underground, above ground, gizhigoon, surroundings, the sky, adjacent areas). We recognize that we are a distinct society that will preserve our innate right to govern within the traditional cultural values and language, ceremonies, customs, traditions, and the protection of all living beings. Directed by our philosophy of respect and stewardship, we pledge to protect the fundamental values of the distinct Maamawiino Anishinaabeg identity that have ensured the existence of our Tribe and welcome all our descendants.

Our people have a tremendous responsibility to protect Anishinaabe Akiing in terms of human rights and the rights of nature. The rights of nature have proven to be congruent with the various indigenous traditions of living in harmony with nature. We are one with Anishinaabe

Akiing. There is the recognition that all life and ecosystems are intertwined. All forms of nature have the right to exist, persist, maintain, and regenerate the vital cycles. Maamawiino Anishinaabeg is responsible for enforcing the rights of nature on behalf of all ecosystems.

Anishinaabe philosophy guiding our actions and daily lives is the concept of Mino bimaadiziwin, which means "the good life." Living Mino bimaadiziwin means we must be a "good person" to live a good life. It signifies that everything we do is good. If we live a good life, everything will come easy for us. Such character traits as kindness, respect, humility, honesty, patience, peacefulness, quietness, acceptance of others, generosity, helpfulness, and caring for Anishinaabe Akiing can be cultivated, transformed into action, and eventually become the essence of our existence.

Mino bimaadiziwin helps us maintain a great sense of responsibility and duty toward ourselves, our community, and Anishinaabe Akiing. Therefore we must respect and preserve our lands, way of life, and the generations to honor the spirits and our ancestors. We must strive against the exploitation of ourselves and our villages.

The life of Anishinaabe Akiing is inseparable from the life of Maamawiino Anishinaabeg. Since all life is interconnected, our actions and laws must reflect what is good for the whole. Since we believe no one can own Anishinaabe Akiing, nature is not considered property under the law; nature has inalienable rights just as humans do. Therefore we can grant Anishinaabe Akiing a legal identity.

When we maintain our ecological integrity, we can live sustainably and support critical needs for food, fresh water, decent shelter, and ways of making a living. Our Treaty of 1854 hunting, fishing, and gathering rights fall within the realm of food sovereignty for us. Nevertheless, there are ceremonial ways of thanking nature for the sacrifice to feed us.

ARTICLE III RIGHTS OF NATURE.

We affirm that our first responsibility is to protect Anishinaabe akiing in a natural state and tribally manage and utilize our abundant gifts in a good way and agree that:

Section 1 The inherent Rights of Nature should be preserved and protected on equal bases with human rights, as nature sustains us. Nature, including All Plant life, Treaty Lands, Waters, Airspace, adjacent territories, and every living soul and creature, are granted plenary rights to exist, flourish, and be protected from all agencies that disturb her Natural serenity

Section 2 In addition to honoring Mino bimaadiziwin, we respect the Maamawiino Anishinaabe clan system, which also represents the foundational support for the laws of nature. The various doodemag deserve the same reverence and respect we would give another human being.

Section 3 The doodemag are our spiritual helpers. Animals are known to have spirits who interact with humankind, often to guide people or offer their wisdom and other gifts. They

are celestial, sentient beings in Anishinaabe Akiing miinawaa Ishpiming. Therefore within the structure of our doodem system, the animals have a right to exist. We are taught to honor our doodem, including treating them with kindness and protecting them.

ARTICLE IV TREATY AND RESERVED RIGHTS

As Sovereign nations of this Constitution Alliance, we affirm that in our many Treaties with the U.S. government, the Maamawiino Anishinaabeg Nation retains all rights and responsibilities since time immemorial, agreed to by our Ancestors. The treaties preserved our rights to hunt, fish, and gather and the natural authority to maintain our original language, teachings, customs, ceremonies, and control over our lands. We agree to retain all our Reserved Rights of Maamawiino Anishinaabeg Nation, any right not expressly extinguished by a treaty or federal statute.

ARTICLE V DECLARATION OF SOVEREIGNTY AND SOVEREIGN RIGHTS

We, the Maamawiino Anishinaabeg people of the Constitution Alliance, declare our Inherent sovereignty as distinct, independent, political, tribal nations because of our original historical autonomy. We also affirm the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) within our Constitution Alliance and tribal courts. Traditional tribal governments existed centuries before the United States and its Constitution Alliance. Tribal governments were, and are, based on notions of equality, freedom, fair representation, and justice. Thereby, tribes have inherent sovereignty, a supreme power from which a people derive their social, political, and economic governance. Nothing shall prohibit the citizens of the constituent reservations from pursuing their inherent right to govern themselves. The citizens retain the right to organize local government; adopt their Constitution Alliances; exercise rights specifically retained in their Treaties, and adopt local rules, regulations, ordinances, and legislation that does not diminish the Constitution Alliance as enumerated in this document.

ARTICLE VI CLANS

Historically, Clans were the center of our identity and culture, symbolize ancestral lines, and are spiritual guides. The Constitution Alliance shall not prohibit any citizen from belonging to one of the original clans or any derivative.

ARTICLE VII EXTERNAL GOVERNMENTAL RELATIONSHIPS

Section 1 The Constitution Alliance shall continue to emanate for Anishinaabe Izhitwaawin (custom, practice, and religion).

Section 2 The Constitution Alliance may authorize using tribal powers to enter into treaties with other Turtle Island Nations (North American Indian Tribes).

Section 3 The Constitution Alliance acknowledges the legal and political relationship between the original applicable Chippewa and the United States of America treaties.

Furthermore, when applicable, the Constitution Alliance recognizes the United States of America's lawful empowered governmental units.

Section 4 The Constitution Alliance will not have intergovernmental relationships with foreign nations except when allowable under United States treaties with the Chippewa.

Section 5 The Constitution Alliance acknowledges that the state government shall provide essential services established under law through collaboration and negotiated as partners with the tribal government and its citizens.

ARTICLE VIII SELF DETERMINATION

We affirm our right to self-determination to freely determine our economic development while understanding that many federal funds are due to us under the United States' obligations in the treaties. An objective of the Constitution Alliance is to maximize and build sustainable Tribal economic benefits through collaboration with federal agencies while seeking other sources not highly dependent on federal funds. We also agree to utilize the Indian Preference Policy in an equitable and fair manner.

ARTICLE IX ADMISSION OF ADDITIONAL TRIBAL NATIONS

We agree that Tribal Nations requesting to join the Constitution Alliance may participate with the consent of each founding reservation and the people's vote. The citizenship and Constitution of Tribes admitted to the Constitution Alliance will remain at their local level.

ARTICLE X TERRITORY AND JURISDICTION

Section 1 The founding Reservations were previously organized as the Minnesota Chippewa Tribe under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended and established by treaties. They are White Earth, Leech Lake, Fond du Lac, Bois Forte, Grand Portage, Mille Lac, and Sandy Lake, which were.

Section 2 The boundaries of Maamawiino Anishinaabeg Nation territory shall be those reservations and ceded territory established by Treaties, and any additional land acquired. For Bois Forte, Fond du Lac, and Grand Portage, by the Treaty of 1854; Leech Lake, Mille Lac, and Sandy Lake, by the Treaty of 1855; and White Earth, by the Treaty of 1867.

Section 3 Jurisdiction of the Maamawiino Anishinaabeg Nation shall extend to all territory set forth in Section 2 in this Article and to all persons or activities therein and include but is not limited to air, water, land, surface and subsurface, natural and cultural resources, and any interests therein.

ARTICLE XI CITIZENSHIP

Section 1 All citizens of the Maamawiino Anishinaabeg Nation must be original enrollees on the annuity roll of April 14, 1941, or any other rolls, or meet _____(BQ or

lineal descent) requirement. They must be descendants of original enrollees listed in prior governing documents sanctioned by the Act of June 18, 1934 (48 Stat. 984).

Section 2 Each constituent reservation will determine its enrollment procedures.

ARTICLE XII CIVIL RIGHTS

The Maamawiino Anishinaabeg Nation, in exercising its powers of self government, shall not: make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances; violate the right of the people to be secure in their persons, house, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized; subject any person for the same offense to be twice put in jeopardy; compel any person in any criminal case to be a witness against himself; take any private property for a public use without just compensation; deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense; require excessive bail, impose excessive fines, inflict cruel and unusual punishment; deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law; pass any bill of attainder or ex post facto law; or deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six (6) persons; or deny the privilege of the writ of habeas corpus to any person, in a court of the United States, to test the legality of this detention by order of an Indian tribe.

ARTICLE XIII RIGHTS OF CITIZENS

The Constitution Alliance adopts the United Nations Declaration on the Rights of Indigenous People (UNDRIP). The forty-six (46) identified rights fall under the categories of Self-determination and Indigenous Institutions; Equality and Nondiscrimination; Survival Rights; Cultural Rights; Education and Public Media; Participation in Decision-making and Free, Prior, and Informed consent; Economic and Social Rights; Land, Territories, and Reserves; Treaties and Agreements; and Implementation and Interpretation.

ARTICLE XIII RIGHTS OF CHILDREN

The Constitution Alliance affirms that our children hold the future of our continued existence. The UN Convention on the Rights of the Child states that children have the right to meet their general and special needs to thrive, survive, and develop. They have a right to have their views respected; have their best interests always considered; have a name and nationality, freedom of expression, and access to information about them; and if possible, live in a family

environment or alternative care and have contact with both parents. All children have the right to be free of violence directed at them and free from exposure to violence in their home; a right to education, leisure, arts, and cultural resources and special protection for in the juvenile justice system, children deprived of their liberty and suffering economic, sexual, or other forms of exploitation. All children have the right to health, health care, and social security.

ARTICLE XIV SEPARATION OF POWER

The Constitution Alliance agrees that no branch of the government shall exercise the powers or functions delegated to another branch.

ARTICLE XV GOVERNANCE STRUCTURE

We proclaim our right as a Sovereign Nation to exercise self-government. We acknowledge the need for accountability and transparency to maintain the trust and faith of our citizens in its government, which shall be vested in independent governing bodies that function as oversight and policymaking, law and rulemaking, Implementation and enforcement of tribal laws, and arbitration and dispute resolution.

ARTICLE XVI GRAND COUNCIL FIRE

The Grand Council Fire shall consist of all citizens of the Maamawiino Anishinaabeg Nation. It will have the authority of oversight, the role of proposing initiatives, approving the annual budget, and reviewing the annual audit.

ARTICLE XVII CITIZEN COUNCILS

The Citizen Councils shall consist of Women, Elders, Men, Youth, and Off-reservation Citizens. They will have oversight authority, proposing initiatives and advocating for their constituent group.

ARTICLE XVIII CENTRAL COUNCIL

The Central Council shall have policymaking functions.

ARTICLE XIX GENERAL ASSEMBLY

A General Assembly shall be the Law and Rulemaking and have the power to establish Law Enforcement and Dispute-resolution mechanisms, including Arbitration and Tribal and Supreme Courts.

ARTICLE XX Name to Be Determined

The _____ shall have the role of Implementation and enforcement of Tribal Rules and Laws.

ARTICLE XXI ARBITRATION AND DISPUTE RESOLUTION

Arbitration and Dispute Resolution shall include Enrollment Appeal Board and an Elder Council/Clan Mother Arbitration.

ARTICLE XXII JUDICIARY

Section 1 Tribal Courts that have original jurisdiction over all cases and controversies arising under the Constitution Alliance, laws, customs, and traditions of the Maamawiino Anishinaabeg Nation.

Section 2 A Supreme Court that has the power to interpret and apply the Constitution Alliance and laws of the Maamawiino Anishinaabeg Nation. The Supreme Court shall have appellate jurisdiction over any case on appeal from the Trial Courts.

ARTICLE XXiii ETHICS, REMOVAL, RECALL, AND VACANCIES

Grounds for Recall and Removed include a Felony Conviction; Engaging in Ethics Violations; Malfeasance; Dereliction of Duty; Neglect of Duty; Good Cause; or Failure to Comply With Any Provisions of this Constitution Alliance. The General Assembly shall enact ordinances for filling vacancies recalls, and removals.

ARTICLE XXIV AMENDMENTS

The Constitution Alliance may be amended by a majority vote of the General Assembly.

ARTICLE XXV SOVEREIGN IMMUNITY

The Maamawiino Anishinaabeg Nation shall not waive or limit the right to be immune from suit except as authorized by the Central Council and the General Assembly Council.

ARTICLE XXVI ELECTIONS

A simple majority vote will be the rule for all elections.

ARTICLE XXVII SEVERABILITY

If a clause, or portion of a clause, in this Constitution Alliance, is considered invalid under the rule of law, it shall be regarded as stricken. The remaining clause shall continue to be in full effect.

ARTICLE XXVIII SAVINGS CLAUSE

Any previous ordinance or resolutions enacted by the Minnesota Chippewa Tribe shall continue in full force and effect to the extent they are consistent with this Constitution Alliance unless amended.

RATIFICATION

Section 1 This Constitution Alliance shall not become operative until ratified at a special election by the majority vote of the adult citizens of the Minnesota Chippewa tribe, voting at a special election called by the Secretary of the Interior, provided that 30% of those entitled to vote and until the Secretary of Interior has approved it. After that, all elections will become Tribal elections.

Section 2 The provisions of this Constitution Alliance Amend (overrule and supersede) the Origin Constitution and Bylaws of Minnesota Chippewa Tribe and the subsequent revised and amended Constitution Alliances approved by the Secretary of the Interior, including the origin Constitution approved on July 24, 1936; the Revision Constitution approved on March 6, 1964, amended and approved on _____ 1972; and amended and approved on _____ 2006.

ADOPTION

This Constitution Alliance shall become effective when ratified by the entitled voters of the Minnesota Chippewa Tribe who vote. Upon ratification of this Constitution Alliance, the Minnesota Chippewa Tribe shall officially become the Maamawiino Anishinaabeg Nation (aka Chippewa). The General Assembly shall enact laws in conformance with this Constitution Alliance within eighteen (18) months of its ratification, provided that the provisions for Article _____ shall be enacted within six (6) months of its ratification. The Minnesota Chippewa Tribe's Tribal Executive Committee shall dissolve upon adoption.